

SUBPOENA OR SUMMONS, ORDER THAT A WITNESS BE FORTHWITH TAKEN INTO CUSTODY AND DELIVERED TO AN OFFICER OF THE REQUESTING STATE, PROVIDED, HOWEVER, THAT THE WITNESS MAY BE ADMITTED TO BAIL IN THE AMOUNT AS MAY BE FIXED BY THE JUDGE UPON CONDITION THAT THE WITNESS WILL APPEAR AT THE TIME AND PLACE SPECIFIED IN THE SUBPOENA OR SUMMONS SERVED UPON HIM.

(D) PENALTY FOR FAILURE TO ATTEND AND TESTIFY.

IF THE WITNESS, WHO IS SUMMONED AS ABOVE PROVIDED, AFTER BEING PAID OR TENDERED BY SOME PROPERLY AUTHORIZED PERSON THE SUM OF TEN CENTS A MILE FOR EACH MILE BY THE ORDINARY TRAVELED ROUTE TO AND FROM THE COURT WHERE THE PROSECUTION IS PENDING AND \$5 FOR EACH DAY, THAT HE IS REQUIRED TO TRAVEL AND ATTEND AS A WITNESS, FAILS WITHOUT GOOD CAUSE TO ATTEND AND TESTIFY AS DIRECTED IN THE SUMMONS, HE SHALL BE PUNISHED IN THE MANNER PROVIDED FOR THE PUNISHMENT OF ANY WITNESS WHO DISOBEYS A SUMMONS ISSUED FROM A COURT OF RECORD IN THIS STATE.

REVISOR'S NOTE: This section presently appears as Art. 27, §618. The only changes made are in style.

SEC. 9-303. WITNESS FROM ANOTHER STATE SUMMONED TO TESTIFY IN THIS STATE.

(A) CERTIFICATE THAT WITNESS IS NEEDED IN THIS STATE.

IF A PERSON IN ANY STATE, WHICH BY ITS LAWS HAS MADE PROVISION FOR COMMANDING PERSONS WITHIN ITS BORDERS TO ATTEND AND TESTIFY IN CRIMINAL PROSECUTIONS, OR GRAND JURY INVESTIGATIONS COMMENCED OR ABOUT TO COMMENCE, IN THIS STATE, IS A MATERIAL WITNESS IN A PROSECUTION PENDING IN A COURT OF RECORD IN THIS STATE, OR IN A GRAND JURY INVESTIGATION WHICH HAS COMMENCED OR IS ABOUT TO COMMENCE, A JUDGE OF THE COURT MAY ISSUE A CERTIFICATE UNDER THE SEAL OF THE COURT STATING THESE FACTS AND SPECIFYING THE NUMBER OF DAYS THE WITNESS WILL BE REQUIRED. A CERTIFICATE MAY INCLUDE A RECOMMENDATION THAT THE WITNESS BE TAKEN INTO IMMEDIATE CUSTODY AND DELIVERED TO AN OFFICER OF THIS STATE TO ASSURE HIS ATTENDANCE IN THIS STATE, UNLESS THE WITNESS SHALL BE ADMITTED TO BAIL BY THE APPROPRIATE AUTHORITY, UPON CONDITION THAT THE WITNESS WILL APPEAR AT THE TIME AND PLACE SPECIFIED IN THE SUBPOENA OR SUMMONS SERVED UPON HIM. THIS CERTIFICATE SHALL BE PRESENTED TO A JUDGE OF A COURT OF RECORD IN